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Senate Bills 892-4 (As Passed Senate)

Topic: Welfare Reform
Sponsor: Senators Hardiman, Cropsey, and Clark-Coleman
Co-sponsors: None
Committee: Senate Families and Children

Date Introduced: November 10, 2005

Date of Summary: December 2, 2005

The bills amend various sections of the Social Welfare Act, including several relating to the Work First program.

Senate Bill 892

Senate Bill 892 renames the "social contract" as the "family independence plan". The components of the plan are described as the goals, responsibilities, expectations, and sanctions that the recipient will be under contractual obligation to follow and a list of the family's current barriers to employment and self-sufficiency. The Department of Labor & Economic Growth is required to monitor the compliance with plans for all recipients referred to Work First. The recipient is required to review, sign, and date the plan each time he or she meets with a caseworker.

A recipient unable to find employment or be placed in a job by the Work First program is required to participate in training or counseling for not less than 10 hours per week in areas considered relevant and appropriate by the caseworker. These areas include marriage, fatherhood, parenting, self-improvement, substance abuse, or volunteer activities.

The Department of Human Services would be required under a Senate floor amendment to study the impact and cost of an earned income disregard provision for determining financial eligibility. The study would be required to be submitted by April 1, 2006.

The Department of Human Services is required to track all recipients by social security number so that tracking information is traceable for the recipient's lifetime. The Department of Labor & Economic Growth is required to track Work First participants by social security number and job status for a period of not less than one year after job placement. This information is required to be shared between the two departments and provided to the Legislature.

The two departments are required to develop individual program goals and measureable performance indicators to be reviewed annually. Annual success or failure rates are to be reported to the Legislature. The bill mandates that one individual program goal would be the percentage of the caseload involved in employment activities. The state goal for the percentage

of program caseload involved in employment activities may not be less than 50%. Quarterly reports to the Legislature of this percentage are required. If the percentage is below the goal for more than two consecutive quarters, the Department of Human Services is required to develop a plan for increasing the percentage involved in employment-related activities. The plan would be submitted during annual budget consideration.

The bill contains provisions relating to education and training. English as a Second Language (ESL) and a fast track literacy program are added to high school completion and GED as exceptions to the requirement that training or education be occupationally relevant and in demand in the labor market. A recipient who does not have a high school diploma or GED and is unable to sustain employment would be required to enroll in one of the courses listed in the previous sentence.

A parent of a child under the age of 3 months who is exempt from Work First would be required participate in family services. The law is currently permissive. Marriage and fatherhood classes or counseling is added to the list of potential family services.

The bill makes changes in the types of individuals who may receive temporary exemptions from Work First. An individual unable to participate due directly to the effects of domestic violence would be eligible for a temporary exemption. The Department of Human Services would be prohibited from exempting an individual from participation if an initial determination has been received denying supplemental security income benefits, except under certain circumstances. To be eligible for an exemption, the individual must document a mental or physical illness, limitation, or disability that results in inability to engage in any substantial gainful activity and can be expected to result or in death or has lasted or is expected to last for a continuous period of not less than 12 months.

The Work First caseworker has discretion to authorize a recipient's request to enroll in education or training for up to 20 hours per week and count these hours toward the 40-hour per week work requirement (but limited to 24 months during a recipient's lifetime) or an exemption for a maximum of six months in a client's lifetime for education or training for which there is a demonstrated demand in the workplace. Education or training course requirements and responsibilities, including, but not limited to, attendance, performance, and minimum grade point average, are required to be outlined in the recipient family independence plan. A recipient who is exempted for education and training is required to meet with the caseworker at least every 45 days. Non-compliance with the family independence plan prohibits a recipient from using education or training toward meeting the work requirement.

Senate Bill 893

Senate Bill 893 requires the Department of Human Services to make educational and informational materials available to recipients relating to adoption.

The bill makes substantial changes in the provisions of the act relating to penalties. The Department of Human Services would be required to impose the following penalties for failure to meet an expectation of the family independence plan:

- Ineligibility for family independence assistance for not less than 1 calendar month for the first instance of non-compliance.
- Ineligibility for not less than 2 calendar months for the second instance of non-compliance.
- Ineligibility for not less than 24 calendar months for the third instance of non-compliance.

The department would still be permitted to determine if good cause for non-compliance existed.

The Senate committee inserted a provision limiting assistance to 48 months during an individual's lifetime. A 12-month extension is possible for recipients meeting all requirements in the family independence plan where labor market conditions or employment barriers prevent employment placement.

An amendment was inserted on the Senate floor to require that information on other benefit programs be provided to recipients whose family independence program assistance has been terminated.

Senate Bill 894

Senate Bill 894 requires the Departments of Human Services and the Department of Labor & Economic Growth to conduct joint orientation sessions for assistance applicants. The joint orientation sessions would be required to include an initial assessment of the applicant. The initial assessment would include, at a minimum, literacy and skills determination, job readiness assessment, basic skills identifier, and mental or physical barriers or disability assessment. The joint orientation sessions would also be required to include basic life skills orientation to prepare an individual for employment. If it is determined that the individual does not have the basic life skills required to maintain employment, the individual is required to be referred for further assessment and training or education in life skills.

Like Senate Bill 893, this bill also amends Section 57g. However, the only additional requirement relating to penalties is that a recipient receiving a penalty for 30 days or more attend a joint meeting with caseworkers.